

**AT RISK YOUTH (ARY)
CHILD IN NEED OF SERVICES (CHINS)**

**FORMS FOR
REQUESTING A BENCH WARRANT**

This is a petitioner-driven action. The petitioner is responsible for reading and following these instructions.

YOU ARE REPRESENTING YOURSELF. IT IS YOUR RESPONSIBILITY TO BE SURE ALL FORMS ARE FILLED OUT COMPLETELY AND IN BLUE OR BLACK INK ONLY OR THEY WILL BE REJECTED.

****PLEASE DO NOT TAKE THIS PACKET APART!!****

After an ARY or CHINS order is entered, any legal party may set a hearing for the court to consider whether or not a violation of the court order has occurred and whether a party should be held in contempt of court for that violation. If a hearing is not possible due to the fact that the party who allegedly violated the court order is unavailable for service, then a warrant can be requested from the court.

Also, if your child has been away from the home without your permission overnight, and you do not currently know where they are, then a warrant can be requested from the court. You will also need to contact your local police/sheriff and report your child as a runaway.

If you'd like the court to issue a bench warrant, you must fill out the required forms and drop the completed packet off at:

Probation Department Reception
Denney Juvenile Justice Center
2801 – 10th Street, Everett, WA 98201.

Paperwork may be dropped off at anytime between 8:00 a.m. & 5:00 p.m. Monday – Friday (except for Holidays); however, the packets are picked up, prepared and submitted for judge's signature **ONLY ONCE PER DAY**. On Monday – Thursday @ 11:30 a.m. & on Friday's @ 10:00 a.m. If your paperwork is submitted after these times on a given day, then they will be picked up, prepared & submitted for judge's signature on the following business day at the stated times. **Your copies will be available for pick up between 4:00 p.m. and 5:00 p.m. on the day they are signed.**

Instructions For Requesting A Warrant:

If you are requesting a warrant, you will need to fill out the forms found in this packet. They are:

- 1) Motion and Affidavit for Order Directing Issuance of Bench Warrant
- 2) Order Determining Probable Cause and Directing Issuance of a Bench Warrant

Instructions below:

RE: Motion and Affidavit for Order Directing Issuance of a Bench Warrant.

- Fill out the title information on the case (in the box at the top, put in the Youth's Last name, First name, Middle initial, & DOB) and case number (16-7-00000-31) as found on your **Order**
- Under "Motion" - Fill in the date the ARY/CHINS **Order** was entered
- Under "Motion" - Sign on the Signature line
- Under "Affidavit", write the **date/time that the youth left, the date/time you're turning in the packet & the fact that the youth is still currently not at the parental home or in an out of home placement approved by parent as ordered under section 3.1 B.**
- Under "Affidavit: - Sign on the Signature line and fill in the date you signed.

RE: Order Determining Probable Cause and Directing Issuance of Bench Warrant.

- Fill out the title information on the case (in the box at the top, put in the Youth's Last name, First name, Middle initial, & DOB) and case number (10-7-00000-1) as found on your **Order**
- Fill in the description of the youth (height, weight, eyes, hair, identifying marks, etc.).

LEAVE THE REST OF THE FORM BLANK!

Warrant Pick-Up:

- The moving party is mandated to appear at ALL warrant hearings – without their presence, there is NO ONE to provide information about the warrant and the youth will be released. PLEASE NOTE: Once a warrant is served, we're only able to call with short notice to appear, so please be sure to read the schedule below so you will know exactly what day & time your hearing will be held in the event staff are unable to reach you when the youth is placed in custody.
- When your copy is made available to you, (see timetable on page 1) you should always pick up your warrant to **verify** that it was issued. **ONLY law enforcement may call the court to verify the warrant** – staff WILL NOT release this information to a parent and although, unlike the court date paperwork, it is not mandatory that you pick up your copy, it is in your best interest as the warrant may not be posted in the “State Wide System” for up to 3 days. Having your copy also makes it easier for law enforcement to verify the warrants validity through our Detention Center.
- If **YOU** are **unable to pick up the warrant paperwork yourself** then you may designate someone else to do it, but **ONLY** if you write the name of the person that **will** be picking it up in the “message” box located on page 1 in the upper right hand corner of the packet.
- Any person you request to pick up paperwork in your absence **MUST bring identification and present it to the receptionist.** Please ask those retrieving the paperwork to present the I.D. **w/o being prompted** – it will save time and confusion for both parties. **(Please note: We CANNOT release your paperwork to ANYONE but you without I.D. – No Exceptions).**
- Once a warrant is served by law enforcement, and/or a youth turns themselves in to Detention, a mandatory hearing needs to be held. (See list of day(s) & time(s) below).
 - *Warrants that are served on Friday, Saturday and Sunday will be heard on Monday. Warrants served on Monday will be heard Tuesday; Warrants served on Tuesday will be heard on Wednesday and those served on Wednesday will be heard on Thursday – **These hearings will be in courtroom 3 @ 1:30 p.m.**
 - *Warrants that are served on Thursday will be held on Friday in **Courtroom 1 @ 9:00 a.m.**

*(Excluding those that land on Holidays).

Directions for Contempt Packet

If you want contempt matters heard at the warrant hearing you must file a contempt packet at the time you file the paperwork for the warrant. This can be done if your child has violated conditions of the ARY order other than running away.

If you file the contempt with the warrant paperwork you will be given;

1. A copy of the **Warrant**
2. A copy of the **Motion to Show Cause Regarding Contempt for Violation of an At Risk Youth/Child in Need of Services** Order for your records.
3. The youth's copy will be kept at the court and served to the youth when they are detained on the warrant. Court staff will sign the Declaration of Service and have it available for pick up as outlined below.

A court hearing will be held on the first business day after your child's arrest. If you want the contempt matters heard at that hearing you must;

- Appear at Court by 1:30 p.m. for the 2:00 p.m. hearing and
- Bring identification to show detention staff and pick up the **Declaration of Service** form from the detention window.
- Give the **Declaration of Service** form to the Commissioner at the hearing.

If you do not file the Contempt Packet with the warrant, you will not be able to discuss any violations or behaviors at the hearing except the runaway.

READ DIRECTIONS CAREFULLY BEFORE FILLING OUT FORMS

1) Motion to Show Cause Regarding Contempt:

- Fill out the information on the case (In Re: Youth's Last Name, First Name, Middle Initial, & DOB) and case number (14-7-00000-1).
- **Section 1.1:**
 - Fill in youth's name.
 - Mark the box indicating the type of case you have (ARY/CHINS) and fill in date the order was entered. (Usually the first date you appeared in court).
- **Section 1.3 (B), page 4**
 - Mark the box indicating the type of case you have (ARY/CHINS) and fill in the date the order was entered. (Usually the first date you appeared in court).
- **Section 1.3, page 5**
 - Mark the box at the beginning of each violation section.
 - Fill in the section of the order that was allegedly violated (usually 3.3, however 3.1 covers residence violations).
 - Fill in the date of the alleged violation.
 - On the lines provided: Write each condition the youth allegedly violated and briefly describe how the violation occurred. **Example:** *Youth violated curfew. Youth was ordered to follow curfew of 10:00 p.m. Youth did not come home until 11:30 p.m.*
 - Continue to list each allegation as described above.
- **NOTE:**
 - If you need additional room for more allegations, you may request additional pages or continue listing them on an 8 ½ x 11 piece of paper.
 - **Remember;** write the section of the order that was allegedly violated and the date of the violation, before briefly describing what occurred.
 - **Please stay within the lines and margins provided and do not write on the back of any pages.**
- **Section 1.3, page 6**
 - Moving party **must** date and sign.

2) Declaration of Service

- Fill out the information on the case (In Re: Youth's Last Name, First Name, Middle Initial, & DOB) and case number (14-7-00000-1).
- The remainder of this form will be completed by the person serving the Motion and Order.

☐ Section 3.3 was violated on _____ by the Respondent in the following ways:

☐ Section 3.3 was violated on _____ by the Respondent in the following ways:

☐ Section 3.3 was violated on _____ by the Respondent in the following ways:

☐ Section _____ was violated on _____ by the Respondent in the following way(s):

I DECLARE under penalty of perjury under the laws of the State of Washington that the forgoing is true and correct.

Dated this _____ day of _____, 20____ at _____, Washington.
(City)

Signature of Moving Party

Printed Name of Moving Party

SUPERIOR COURT OF WASHINGTON COUNTY OF SNOHOMISH JUVENILE DIVISION	
IN RE: DOB:	NO: ORDER TO SHOW CAUSE REGARDING CONTEMPT (ARY/CHINS) (CLERK'S ACTION REQUIRED)

IT IS HEREBY ORDERED THAT:

_____ and _____ are DIRECTED to personally APPEAR
(Youth's Name) (Parent's Name)
at a HEARING ON THE ATTACHED MOTION TO BE HELD ON _____, 20____
at _____ am/pm at the Denney Juvenile Justice Center, 2801 10th Street, Everett WA 98201, and
show cause why contempt should not be found.

Dated: _____
JUDGE/COMMISSIONER

Screened by: _____

SUPERIOR COURT OF WASHINGTON COUNTY OF SNOHOMISH JUVENILE DIVISION	
IN RE: DOB:	NO: DECLARATION OF SERVICE

I, _____ say upon oath, that on the _____ day of _____, 20 _____, I served _____ in person with a copy of the following document(s) which have been filed under the above cause number:

☐ The Motion and order to Show Cause Regarding Contempt
Filed on _____

☐ Other: _____
Filed on _____

I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT THE FOREGOING IS TRUE AND CORRECT.

Signed in _____, _____ on _____, 20_____
(City) (State) (Date)

Signature

Print Name